

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

July 6, 2005

DIVISION ONE

B176863 Barton Properties, Inc. (Not for Publication)
 v.
 City of Los Angeles

That portion of the judgment dismissing the negligence cause of action is affirmed. That portion of the order sustaining the demurrer without leave to amend as to the inverse condemnation and temporary regulatory taking causes of action and the corresponding portions of the judgment are reversed. The case is remanded to the trial court with instructions that it (1) issue a new order overruling the demurrer to the inverse condemnation and temporary regulatory taking causes of action, (2) set the time within which the City must answer, and (3) set the case on track for trial. Each party shall bear its own costs on appeal.

Rothschild, J.

We concur: Spencer, P.J.
 Vogel (Miriam A.), J.

B176673 Gina Tervalon
 v.
 Andrew Adelman et al.

Filed order denying petition for rehearing.

July 6, 2005 (Continued)

DIVISION TWO

B171760 People (Not for Publication)
v.
Jarso and Lawson

As to Jarso, the judgment is affirmed. As to Lawson, the judgment is affirmed.

Doi Todd, J.

We concur: Boren, P.J.
 Nott, J. (Assigned)

DIVISION THREE

B179425 People (Not for Publication)
v.
Bobadilla

The judgment is affirmed.

Klein, P.J.

We concur: Croskey, J.
 Kitching, J.

DIVISION FOUR

B177079 People (Not for Publication)
v.
Green

The judgment is affirmed.

Epstein, P.J.

We concur: Hastings, J.
Willhite, J.

DIVISION FOUR (Continued)

B175363 Batzofin, M.D. (Not for Publication)

v.

Stephan, Oringer, Richman & Theodora et al.

The order granting the special motion to strike as to Dr. Batzofin is reversed and the trial court is directed to enter a new and different order denying that motion. The order denying the special motion to strike as to Dr. Batzofin's professional corporation is affirmed. Dr. Batzofin and his professional corporation are to have their costs on appeal.

Epstein, P.J.

We concur: Hastings, J.
 Curry, J.

B180788 Franklin Mint Company et al. (Certified for Publication)

v.

Superior Court, Los Angeles County
(Manatt, Phelps & Phillips et al., r.p.i.)

The order to show cause is discharged. Let a writ of mandate issue directing respondent court to vacate its order determining the settlement was in good faith, and to enter a new and different order denying the motion for good faith settlement. This order is without prejudice to the settling parties renewing their motion for good faith settlement, supported by adequate evidence. Petitioners shall recover their costs in connection with the petition.

Willhite, J.

We concur: Hastings, Acting P.J.
 Curry, J.

July 6, 2005 (Continued)

DIVISION FOUR (Continued)

B172472 People (Not for Publication)
v.
Diaz

The judgment is affirmed.

Hastings, J.

We concur: Epstein, P.J.
Curry, J.

DIVISION FIVE

B176856 People (Not for Publication)
v.
Eugene Johnson

The judgment is affirmed.

Kriegler, J.

We concur: Turner, P.J.
 Mosk, J.

B176464 Gary Cramer et al
v.
Superior Court of Los Angeles

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

July 6, 2005 (Continued)

DIVISION SIX

B177584 People (Not for Publication)
v.
Verdugo

The judgment is affirmed.

Perren, J.

We concur: Yegan, Acting P.J.
Coffee, J.

B174066 Nazerian (Not for Publication)
v.
DMV

The judgment is reversed and this case is remanded to the trial court with instructions to grant appellant's petition and issue a peremptory writ commanding the DMV to set aside its order suspending appellant's driver's license. Appellant shall recover his costs on appeal.

Coffee, J.

We concur: Gilbert, P.J.
Yegan, J.

DIVISION SEVEN

B173040 People (Not for Publication)
v.
Jones

The judgment is affirmed.

Woods, J.

We concur: Johnson, Acting P.J.
 Zelon, J.

July 6, 2005 (Continued)

DIVISION SEVEN (Continued)

B164617 Brass (Not for Publication)
v.
County of Los Angeles

The judgment is reversed. Appellant(s) to recover costs.

Woods, J.

We concur: Johnson, Acting P.J.
 Zelon, J.

DIVISION EIGHT

B178956 People (Not for Publication)
v.
Washington

The denial of Washington's petition for writ of mandate is affirmed.

Cooper, P.J.

We concur: Rubin, J.
Boland, J.

B178494 People (Not for Publication)
v.
Munoz

The judgment is affirmed. The trial court is directed to issue an amended abstract of judgment that includes each of the following words or reasonable abbreviations of the following words in the verbal description of the crime: "assault with a deadly weapon or by means of force likely to produce great bodily injury."

Boland, J.

We concur: Cooper, P.J.
Rubin, J.

July 6, 2005 (Continued)

DIVISION EIGHT (Continued)

B178299 People (Not for Publication)
v.
Hudson

The judgment is affirmed.

Flier, J.

We concur: Cooper, P.J.
Rubin, J.

B178224 People (Not for Publication)
v.
Simmons

Upon remand, the trial court is directed to do the following, if it has not already done so: (1) issue an amended abstract of judgment reflecting that the enhancement on count one was imposed under authority of Penal Code section 12022, subdivision (a)(1) and (2) re-calculate appellant's actual custody credits as of the date of re-sentencing. In all other respects, the judgment is affirmed.

Boland, J.

We concur: Cooper, P.J.
Flier, J.

B168560 People
v.
Amos Jerome Jones

Filed order denying petition for rehearing.